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<b>PRE-APPEAL BRIEF REQUEST FOR REVIEW</b>		Docket Number (Optional) <b>ITL.0364US (P8583)</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>September 26, 2005</u> Signature <u>[Signature]</u> <b>Jennifer Juarez</b> Typed or printed name _____		Application Number <b>09/584,604</b>	Filed <b>May 31, 2000</b>
		First Named Inventor <b>Scott A. Rosenberg</b>	
		Art Unit <b>2672</b>	Examiner <b>Javid A. Amini</b>
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
I am the		<u>[Signature]</u> Signature <b>Mark J. Rozman</b> Typed or printed name <b>(512) 418-9944</b> Telephone number <u>9/26/05</u> Date	
<input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)			
<input checked="" type="checkbox"/> attorney or agent of record. <b>42,117</b> Registration number _____			
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Scott A. Rosenberg	§	Group Art Unit:	2672
Serial No.:	09/584,604	§		
Filed:	May 31, 2000	§	Examiner:	Javid A. Amini
For:	Transforming Pixel Data And Addresses	§	Atty. Dkt. No.:	ITL.0364US (P8583)
		§	Assignee:	Intel Corporation

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REASONS FOR PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Sir:

Applicant seeks pre-appeal review of the rejections of claims 26-54. It is respectfully submitted that the rejections to pending claims 26-54 are clearly erroneous and the burden of an appeal should be avoided.

First, claims 26-54 stand rejected under 35 U.S.C. §112, ¶1 as allegedly failing to comply with the written description requirement. This rejection is clearly erroneous, as the Examiner contends that the Specification does not support the claim language used, although clear support exists. As to claim 26, the Examiner apparently contends that there is insufficient support for the claimed language of transferring pixel data to a transformation engine at a given memory address range, and readdressing the transformed pixel data to another memory address range using the transformation engine and without using a fetch engine. Clear support for this language is set forth in the Specification, for example, at p. 7, ln. 15 – p. 8, ln. 14.

As to claims 36-37 and 48-49, the Examiner contends that the claimed “second transformation” was not described in the Specification. This is clearly erroneous, as multiple transformations are disclosed throughout the Specification. For example, page 5 lists multiple transformation operations including scaling, color conversion and composition. Specification, p.

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Jennifer Juarez

5, lns. 1 – 8. The Specification further discloses performing a first transformation and then a second transformation. *E.g.*, Specification, p. 8, ln. 15 – p. 9, ln. 10.

Claims 34, 35, and 48-54 stand rejected under 35 U.S.C. §112, ¶2 for use of the term “transfer function”. As discussed more fully during the prosecution (*see e.g.*, Reply to Paper No. 21, filed August 25, 2004, p. 3), when read in the light of the rest of the claims and the Specification, use of the term “transfer function” is definite. That is, as shown in FIG. 3 and described in the Specification, a transfer function is “to receive pixel data and addresses from the immediate port target 16, perform a pixel and address transformation, and forward output pixel data and addresses to a media port write back engine 20”. Specification, p. 5, lns. 17-22. Thus the §112, ¶2 rejection is also clearly erroneous.


Pending claims 26-54 further stand rejected under 35 U.S.C. §103(a). This rejection is clearly erroneous, as the Examiner has failed to show a proper motivation to combine the three cited references, namely Homan, Pendse and Kajita. In this regard, the Examiner fails to provide any reason to combine Homan and Pendse with Kajita. The Examiner notes that the first two references teach pre-fetching and that Kajita “is silent about using the fetch engine”. Final Office Action, p. 6. Thus there is a clear error in the lack of any motivation to combine the references.

Further, the Examiner fails to cite any reference that in any way teaches or suggests readdressing of transformed pixel data to a different memory address range using a transformation engine and without using a fetch engine as recited by the independent claims. That is, the Examiner concedes that “Homan and Pendse do not explicitly specify readdressing, writing, performing the transform graphical data to another memory address range”. Final Office Action, p. 6. Nor does the Examiner contend that Kajita anywhere teaches or suggests such readdressing by a transformation engine and without using a fetch engine, particularly as the Examiner concedes that Kajita “is silent about using the fetch engine”. In fact, none of the references teach or suggest this claimed element and the §103(a) rejection is clearly erroneous.

Since this rejection fails to set forth a *prima facie* rejection and is clearly violative of existing PTO policy, the need for an appeal should be avoided.

Respectfully submitted,

Date: September 26, 2005

  
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